# Union Calendar No. 423

 $\begin{array}{c} {\bf 111TH~Congress} \\ {\it 2d~Session} \end{array}$ 

HOUSE OF REPRESENTATIVES

Report 111–700

# COMMITTEE ON APPROPRIATIONS HOUSE OF REPRESENTATIVES

REPORT

OF

# COMMITTEE ACTIVITIES ONE HUNDRED ELEVENTH CONGRESS

**JANUARY 6, 2009** 

THROUGH

JANUARY 3, 2011

Pursuant to Clause 1(d) of Rule XI



January 3, 2011.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

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WASHINGTON: 2011

#### COMMITTEE ON APPROPRIATIONS

#### House of Representatives

(111th Congress)

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# LETTER OF TRANSMITTAL

**JANUARY 3, 2011** 

Hon. Nancy Pelosi, The Speaker, U.S. House of Representatives, Washington, DC.

DEAR MADAM SPEAKER: I am pleased to transmit herewith a report on the activities of the Committee on Appropriations during the 111th Congress, pursuant to clause 1(d) of rule XI of the Rules of the House of Representatives.

With best regards,
Sincerely,

DAVID R. OBEY, Chairman.

(III)

# Union Calendar No. 423

111TH CONGRESS \\
2d Session

HOUSE OF REPRESENTATIVES

REPORT 111–700

# REPORT ON ACTIVITIES OF THE COMMITTEE ON APPROPRIATIONS DURING THE 111TH CONGRESS

JANUARY 3, 2011.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

Mr. Obey, from the Committee on Appropriations, submitted the following

# REPORT

The Committee on Appropriations is the principal arm through which the House of Representatives exercises its constitutional responsibility to provide funds for the operations of the various activities of the Federal Government. Clause 1(b) of rule X of the House provides that the Committee shall have jurisdiction over the "Appropriation of the revenue for the support of the Government." This responsibility has basically been vested in the Committee since 1865.

The Committee has been established by the House with a membership of 60 during the 111th Congress. With relatively few exceptions, the responsibilities of the Committee are carried out through its 12 Subcommittees which in turn report to the full Committee. The Subcommittees are organized essentially on a functional basis with recognition of the existing structure of the Departments and agencies within the Executive Branch. (The jurisdictional assignments of Subcommittees during the 111th Congress are displayed in Appendix C.)

### SUMMARY OF APPROPRIATIONS ACTIONS

#### FISCAL YEAR 2009

The Committee began the first session of the 111th Congress by immediately getting to work on legislation to rescue and repair the economy in the face of the worsening economic crisis. The resulting product, known as the American Recovery and Reinvestment Act of 2009, was enacted within the first month of President Obama's inauguration. This critical legislation was successful in putting the country on a path to recovery by creating or saving 3.5 million jobs, providing a tax cut to small business and 95% of American workers, beginning to rebuild America's road, rail, and water infrastructure, and making a historic commitment to education, clean energy, and science and technology, with unprecedented accountability at a cost of \$787 billion (\$311 billion of which was appropriations).

Shortly after finishing the Recovery Act, the Committee turned

to completing action on nine of the prior year's appropriations bills. The wrap-up omnibus appropriations measure, funding nine of the twelve appropriations bills was enacted in February 2009 at a cost of \$410 billion. The measure worked in harmony with the economic recovery package by making investments in energy security, scientific research, healthcare access, education, and safety to support

the nation's long term economic strength.

The Committee completed two supplemental funding measures for FY 2009. The Committee provided funding for Iraq, Afghanistan, Pakistan, Pandemic Flu and for the "Cash for Clunkers" program in the 2009 \$105 billion supplemental enacted in June of 2009. The Committee provided additional funding to the "Cash for Clunkers" program in August of 2009, fully offset, due to the high demand for that program.

### FISCAL YEAR 2010

While developing the bills for fiscal year 2010, the committee placed a high priority on reinvigorated oversight over the agencies and programs being funded. The House passed each of the 12 appropriations bills separately, and ultimately six were enacted as separate measures. The final six appropriations bills were enacted in a December 2010 consolidated bill.

The Committee completed three supplemental funding measures in FY 2010. The Committee provided funding for our military operations and security initiatives in Iraq, Afghanistan and Pakistan, for the devastating earthquake in Haiti, and to expand benefits for disabled veterans in the \$58.8 billion supplemental measure enacted in July 2010. The Committee provided \$129 million, fully offset, to help prevent additional backlogs in the processing of patent applications in the supplemental appropriations measure enacted separately in July 2010. The Committee provided \$600 million to help address the threat of increased violence along the Southwest Border in the supplemental appropriations measure enacted in August 2010.

# FISCAL YEAR 2011

In the second session of the 111th Congress, the House markedup all appropriations bills in subcommittee and passed two on the floor, Transportation HUD and VA/Military Construction. No FY 2011 appropriations measures were enacted separately. Four continuing resolutions were enacted, the last of which provided funding through March 4, 2011, frozen in total at the previous years funding levels.

# FURTHER REFORM OF CONGRESSIONAL EARMARKING PROCESS

The Committee continued to further reform the Congressional earmarking process in March of 2009 (for the 2010 fiscal year) and in March of 2010 (for the 2011 fiscal year). The March 2009 reform required increased executive branch review of requested Congressional earmarks and required that earmarked funding directed to for-profit entities be competitively selected by the executive branch. The March 2010 reform banned Congressional earmarks to for-profit entities.

### 1ST SESSION—111TH CONGRESS

### FISCAL YEAR 2009 SUPPLEMENTALS

H.R. 1—Making supplemental appropriations for job preservation and creation, infrastructure investment, energy efficiency and science, assistance to the unemployed, and State and local fiscal stabilization, for fiscal year ending September 30, 2009, and for other purposes. Approved February 17, 2009 (P.L. 111–5).

H.R. 2346—Making supplemental appropriations for the fiscal year ending September 30, 2009, and for other purposes. Approved June 24, 2009 (P.L. 111–32).

H.R. 3435—Making supplemental appropriations for fiscal year

2009 for the Consumer Assistance to Recycle and Save Program. Approved August 7, 2009 (P.L. 111–47).

### FISCAL YEAR 2010 CONTINUING RESOLUTIONS

H.R. 2918—(Included as Division B in the Legislative Branch Appropriationons for the fiscal year ending September 30, 2010, and for other purposes. Approved October 1, 2009 (P.L. 111–68).

H.R. 2996—(Included as Division B in the Interior Department Appropriationons for the fiscal year ending September 30, 2010, and for other purposes. Approved October 30, 2009 (P.L. 111–88).

2010 APPROPRIATIONS-111th CONGRESS, FIRST SESSION

[Dollars in millions]

	President's Request	Request	Enacted Bills <sup>1</sup>	Bills 1	Bills vs. Presi	Bills vs. President's Request
	Discretionary	Mandatory	Discretionary	Mandatory	Discretionary	Mandatory
Fiscal Year 2010 Bills						
Agriculture (P.L. 111–80)	\$22,979	\$100,846	\$23,304	\$99,830	\$325	-\$1,016
Commerce, Justice, Science (P.L. 111–117)	\$64,612	222	64,416	222	-196	
Defense (P.L. 111–118)	640,141	291	636,375	291	-3,766	
Energy and Water (P.L. 111–85)	34,394		33,465		– 926 –	
Financial Services and General Government (P.L. 111–117)	24,226	20,703	24,186	20,703	-40 54	
Industrial Security (F.L. 111–89) Interior. Environment (P.L. 111–88)	32.325	1,301	32.240	1,301	- 85	-2
Labor, HHS, Education (P.L. 111-117)	161,552	566,995	163,565	567,050	2,013	55
Legislative Branch (P.L. 111–68)	5,157	130	4,656	130	-501	
Military Construction, Veterans Affairs (P.L. 111–117)	21,666	55,822	78,005	56,568	339	746
State, Foreign Operations (P.L. 111–117)	52,044	159	48,764	159	-3,280	
Transportation, HUD (F.L. 111–117)	68,869		006,79		696 –	
Second FV 2010 Continuing Resolution (Div. B of P. L. 111-88)						
Third FY 2010 Continuing Resolution (Vetoed)						
Total, FY 2010 Bills	1,226,795	746,971	1,233,065	746,754	6,270	-217
Regular appropriations	1,096,795		1,089,652		-7,143	
Emergency appropriations/Allocation Adjustment/Other 2	000		13,413		13,413	
Overseas Deployment and Other Activities	130,000		130,000			
Fiscal Year 2009 Supplemental Appropriations						
American Recovery and Reinvestment Act of 2009 (P.L. 111-5) 4						
Consumer Assistance to Recycle and Save Program (P.L. 111-47)						
("Cash for Clunkers") 4			\$2,000		2,000	
Defense Intl Affairs-Flu Supplemental Appropriations Act, 2009 (F.L. 111–29) 4	\$00 145		\$10K 8K1		19 706	
TII—02) -	437,140		0.00,001		10,700	

<sup>1</sup> Regular fiscal year 2010 appropriations bills other than the Agriculture, Defense, Energy and Water, Homeland Security, Interior, Legislative Branch Appropriations bills were enacted in the Consolidated Appropriations Act (P.L. 111–117).

<sup>2</sup> Division B of P.L. 111–118 contained \$12.153 billion in emergency funds for various programs, \$1.240 billion for the for the extension of the Medicare Physicans Payments (Doc Fix.). In addition, division B also contained \$20 million for Poverty Guidelines that should have been designated as an emergency.

§ The Commerce, Justice, Science, (P.L. 111–117), Defense (P.L. 111–118), Homeland Security (P.L. 111–83), and the Military Construction and Veterans Affairs Appropriations Acts of 2010 combined contain \$129,989 billion for Overseas Deployment and Other Activities (note: \$11 million was contained in the FY2009 supplemental appropriations.

# 2D Session—111th Congress FISCAL YEAR 2010 SUPPLEMENTALS

- H.R. 4899—Making supplemental appropriations for the fiscal year ending September 30, 2010, and for other purposes. Approved July 29, 2010 (P.L. 111-212).
- H.R. 5874—Making supplemental appropriations for the United States Patent and Trademark Office for the fiscal year ending September 30, 2010, and for other purposes. Approved August 10, 2010 (P.L. 111–224)
- H.R. 6080—Making emergency supplemental appropriations for border security for the fiscal year ending September 30, 2010, and for other purposes. Approved August 13, 2010 (P.L. 111-230).

#### FISCAL YEAR 2011 CONTINUING RESOLUTION

- H.R. 3081—Continuing Appropriations Act, 2011. Approved September 30, 2010 (P.L. 111-242).
- H.J. Res. 101—Continuing Further Appropriations Act, 2011. Ap-
- H.J. Res. 101—Continuing Further Appropriations Act, 2011. Approved December 4, 2010 (P.L. 111–290).
  H.J. Res. 105—Continuing Further Appropriations Act, 2011. Approved December 18, 2010 (P.L. 111–317).
  H.R. 3082—Continuing Further Appropriations Act, 2011. Approved December 21, 2010 (P.L. 111–322).

2011 APPROPRIATIONS-111th CONGRESS, SECOND SESSION

[Dollars in millions]

	President's Request	Request	Subcommittee Reported,	e Reported,	Bills vs. President's	resident's
	Discre-	74	Passed, or Enacted Bills	acted Bills 1	, c	Tear.
	tionary	Mandatory	Discretionary	Mandatory	Discre- tionary	Mandatory
Fiscal Year 2011 Bills						
Agriculture	\$23,127	\$109,120	\$23,100	\$110,133	-\$27	\$1,013
Commerce, Justice, Science	60,539	325	60,536	325	ස 	
Defense	531,142	292	523,870	292	-7,272	
Overseas Contingency Operations (Emergency) <sup>3</sup>	157,825		157,825			
Energy and Water	35,344		34,669		-675	
Financial Services and General Government	25,257	21,160	24,500	21,160	-757	
Homeland Security	43,636	1,401	43,636	1,401		
Overseas Contingency Operations (Emergency) <sup>3</sup>	254		254			
Interior, Environment	32,373	443	32,240	443	- 133	
Labor, HHS, Education 4	177,922	562,562	176,412	562,301	-1,510	-261
Legislative Branch	5,124	133	4,656	133	- 468	
	75,997	63,849	75,998	63,849	1	
Overseas Contingency Operations (Emergency) <sup>3</sup>	1,257		1,257			
State, Foreign Operations	56,647	159	53,983	159	-2,664	
Transportation, HUD	68,738		67,400		-1,338	
First FY 2011 Continuing Resolution (P.L. 111–242)						
Second FY 2011 Continuing Resolution (P.L. 111–290)						
Third FY 2011 Continuing Resolution (P.L. 111–317)						
Fourth FY 2011 Continuing Resolution through March 4, 2011 (P.L. 111–322)						
Total, FY 2011 Bills (Includes Emergency Funding)	1,295,182	759,444	1,280,336	760,196	-14,846	752
Regular appropriations	1,135,846		1,121,000		-14,846	491
Emergency appropriations	159,336		159,336			982
Fiscal Year 2010 Supplemental Appropriations						
2 11 11 11 11 11 11 11 11 11 11 11 11 11	0 010	0 0	010	0 0	000	
Supplemental Appropriations Act, ZULU (F.L. 111–Z12) 2	\$50,82I	\$13,31 <i>1</i>	\$42,112	\$13,377	- 48,709	
Supplemental Appropriations for the U.S. Patent and Trademark Office (P.L. 111–224) <sup>2</sup>	000		000			
the state of the s						

<sup>&</sup>lt;sup>1</sup> Two regular fiscal year 2011 appropriations bills (Military Construction, Veterans Affairs and Transportation, HUD) were passed by the House. Amounts displayed for other bills are the bencommittee-reported amounts. All 12 appropriations bills were funded under a continuing resolution.

<sup>2</sup> Emerging supplemental appropriations bills were funded under a continuing resolution.

<sup>3</sup> Enterpress and a state of the provided and another state of the pressed contingency Operations where not designated as an emergency, however the FY 2011 Budget Enforcement Resolution, P. Res 1493 did not provide an allocation for Overseas Contingency Operations.

<sup>4</sup> Within the Labor, Health and Human Services, Education Subcommittee, the President requested that funding for Pell Grants (\$33.162 billion) and a portion of LIHEAP (\$1.8 billion) be mandatory instead of discretionary. Since Congress has not enacted this change, the Subcommittee's discretionary allocation includes this funding included is equal to the President's request. This is the same way this situation was handled in the FY 2010 allocation.

#### SUMMARY OF OVERSIGHT ACTIVITIES

### OVERSIGHT PLAN

Pursuant to clause 2(d)(1) of rule X, the committee submitted the

following Oversight Plan on January 21, 2009:

"The Committee on Appropriations believes that rigorous oversight is essential for ensuring that Government agencies and programs effectively and efficiently serve the American people. The oversight function will be carried out by the Committee throughout the year and at many levels of examination and investigation. For the 111th Congress the Committee intends to proceed in the fol-

lowing manner:

- 1. Subcommittee Hearings. The Appropriations Committee holds itself to the highest standards for analysis of the President's budget and supplemental funding requests. During the 110th Congress, the Committee held 402 hearings, took testimony from 3,076 witnesses and published 184 volumes of hearings totaling 165,868 printed pages. Requests for emergency supplemental funding for Iraq will be closely scrutinized, as will earmarks proposed by the Administration within the President's budget. The Committee will also continue to augment oversight of the U.S. intelligence community through the Select Intelligence Oversight Panel of the Committee and of the intelligence authorizing committee, the panel will continue to review budget requests and make recommendations for the preparation of the classified annex to the bill making appropriations for the Department of Defense.
- 2. Investigations. In addition to formal oversight, the Committee utilizes various investigative agencies to conduct in-depth analysis as it deems necessary. Many of these investigations are conducted by the Committee's Surveys and Investigations Staff, an important resource whose performance is critical to effective oversight. In the previous Congress, the Committee received 36 Surveys and Investigations studies and 360 investigative reports from the GAO. The Surveys and Investigations Staff will closely scrutinize the progress and performance of programs funded with economic recovery dollars.
- 3. Appropriations Bills. The 'power of the purse' is the Committee's primary responsibility and greatest power. The manner in which the Committee chooses to provide or withhold Federal funding is undertaken with the greatest care and in compliance with all budgetary concepts and strictures. The Committee will follow the requirements of the Congressional Budget with regard to the subdivision of the budget authority and outlays to its subcommittees. Appropriations bills will be developed in accordance with the results of all the oversight activities in paragraphs 1 and 2, above and brought to the floor for consideration within all relevant budgetary constraints."

#### OVERSIGHT ACTIONS

For the 111th Congress, the committee made a commitment to prioritize its oversight responsibilities, and consequently succeeded in accomplishing its goals as laid out in the above plan. Since 2007, the Appropriations Committee has strengthened contract oversight and independent audits to make programs across federal agencies more effective and efficient. Altogether, in exercising their oversight responsibilities, the 12 subcommittees conducted a total of 332 hearings, took testimony from 2,481 witnesses and published 160 volumes of hearings totaling 139,278 printed pages, over the course of both sessions.

The committee also succeeded in implementing its oversight plan by utilizing the invaluable analytical resources at its disposal. In addition to having 35 studies and investigations conducted by the Surveys and Investigations Staff, a total of 334 reports by the Government Accountability Office were either completed or in progress by end of the Congress. Details of these investigations are provided in the following section.

# INVESTIGATIONS CONDUCTED BY THE COMMITTEE (111TH CONGRESS)

During the 111th Congress, the Committee conducted 35 studies and investigations covering a wide range of Federal agency activities. The Committee's Surveys and Investigations Staff (S&I) performed these studies to assist the Committee in fulfilling its oversight responsibilities and gathering the information it needs to make budget decisions.

The various Subcommittees, in letters signed by the Chairman and Ranking Minority Member, originate requests for investigations; the request letters must be approved and signed by the Chairman and Ranking Minority Member of the Full Committee before an investigation is pursued. Most investigations are conducted pursuant to these letters, known as directives; however, a few narrowly focused studies, known as special taskings, were conducted in 2009 using existing resources without formal directives, but still requiring bipartisan sign-off at the Subcommittee and Full Committee levels. Examples of special taskings during the 111th Congress include a review of Food and Drug Administration funds appropriated in the FY 2009 supplemental, an examination of the Small Business Administration's Loan Management and Accounting System, and a review of the Recovery Act.

When the Committee directs S&I to conduct an investigation, the Director assembles a team of expert investigators. Competence and objectivity are the criteria for selection of individual investigators. During the 111th Congress, a total of 108 professionals—consisting of a small number of permanent staff, personnel on detail from 5 Federal agencies, and independent contractors—carried out studies and prepared reports.

During this Congress, the Committee issued 25 directives to S&I and 3 special taskings; in addition, S&I completed 7 other investigations directed during the previous Congress. Directives generally call for investigations to be completed within 3 to 6 months. Some studies include briefings to Subcommittee staff or result in several memos in addition to, or in lieu of, a final report. The format and frequency of reports are tailored to the needs of the Subcommittee.

A catalog of all the investigations conducted during the 111th Congress, listed by the requesting Subcommittee, follows.

STUDIES COMPLETED OR STARTED BY THE SURVEYS AND INVESTIGATIONS STAFF COMMITTEE ON APPROPRIATIONS, 111TH CONGRESS

#### STUDIES BY SUBCOMMITTEE

AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCIES

- —Food and Drug Administration Information and Computing Technology for the 21st Century Initiative
- —Special Tasking: Food and Drug Administration Spending Funds Appropriated in FY 2009 Supplemental

COMMERCE, JUSTICE, SCIENCE, AND RELATED AGENCIES

-National Aeronautics and Space Administration Use Leases

- —National Aeronautics and Space Administration Carryover and Lapse of Appropriations (Part A) National Aeronautics and Space Construction Of Facilities (Part B)
- -Bureau of Prisons Budget Formulation -Bureau of Prisons Federal Prisons Industries
- United States Patent and Trademark Office's Budget Formulation and Financial Requirements
- -National Oceanic and Atmospheric Administration's Administrative Costs
  -Department of Justice Office of Justice Programs Management and Administrative Costs Related to Grant Programs
  -United States Patent and Trademark Office FY 2011 Budget Request

#### DEFENSE

- —Potential Antideficiency Act Violation, FY 2008 Military Personnel, Army
   —Department of Defense Stop Loss Program
   —Department of Defense Information Operation and Strategic Communication
   —Efforts by the Central Intelligence Agency to Develop and Acquire Unique Space Systems and Capabilities
   —Department of Senior Mentoring Program
   —Office of the Director of National Intelligence Contracting
   —Department of Defense Prepositioned Stock Programs
   —Budget-Personnel on Office of the Director of National Intelligence Since FY 2005
   —Army's Budgeting Practices for Military Personnel and Other Services

#### ENERGY AND WATER DEVELOPMENT

- -Physical Security at Nuclear Non-Proliferation "Secured" Foreign Sites
- -U.S. Department of Energy's Physical Security of Nuclear Weapons and Special Nuclear Material
- -Army Corps of Engineers New Orleans Flood Control FY 2007 to Present

#### FINANCIAL SERVICES AND GENERAL GOVERNMENT

-Special Tasking: Small Business Administration's Loan Management and Accounting System

### FULL COMMITTEE

—Special Tasking: Recovery Act

#### HOMELAND SECURITY

—World Trade Center Captive Insurance Company

#### INTERIOR, ENVIRONMENT, AND RELATED AGENCIES

—Department of Interior's Bureau of Land Management's Coal Program

#### LEGISLATIVE BRANCH

-U.S. Capitol Police and Interim Report on Staffing Requirements

MILITARY CONSTRUCTION, VETERANS AFFAIRS, AND RELATED AGENCIES

- —Implementation of 2005 Base Realignment and Closure Recommendation
- The Department of Veterans Affairs Information Technology Systems Program
- -Veterans Health Administration Healthcare Delivery

### STATE, FOREIGN OPERATIONS, AND RELATED AGENCIES

- —Financial Corruption in Afghanistan
- -Iraq Transition 2010–2013 -Hiring for the U.S. Department of State and U.S. Agency for International Devel-
- -Coordination of Foreign Assistance Programs (State and Defense Subcommittee)
  - TRANSPORTATION, HOUSING AND URBAN DEVELOPMENT, AND RELATED AGENCIES
- -Federal Aviation Administration's Air Traffic Control Facility Realignment

With respect to the above listing, it should be noted that since studies originate with the Subcommittees, any information developed during the course of an investigation is reported to the Subcommittee which requested such study or examination as well as the Chairman and Ranking Minority Member of the Full Committee. This information may be released for publication only when the Subcommittee so determines as provided by Section 8 of the Committee's rules.

# SUPPORT PROVIDED BY THE GAO

In addition to the information made available to the Committee through its Surveys and Investigations Staff, the Committee also utilizes the resources of the Government Accountability Office. The Committee receives a copy of every GAO report addressed to the Congress. In recent years the scope of the GAO auditing and review capability has been enlarged to include management surveys. For over 24 years the GAO has extracted from those reports and compiled in separate volumes a list of so-called "significant audit findings" for special use by the Committee staff in the annual appropriations hearings. These findings relate to matters which are felt to require corrective action by the Committee's efforts, through legislation, or through administrative efforts. This compilation is designed to identify problem areas in an individual agency which might have applicability to other organizations.

Additionally, the Committee frequently calls upon GAO to make

special studies and investigations.

A listing of some reports and staff studies by the Committee which were underway during the 111th Congress follows:

- GAO-09-100, Health Information Technology: More Detailed Plans Needed for the Centers for Disease Control and Prevention's Redesigned BioSense Program—11-20-2008
- GAO-09-171, Defense Infrastructure: Additional Information Is Needed to Better Explain the Proposed 100,000-Acre Expansion of the Pinon Canyon Maneuver Site—1-13-2009
- GAO-09-180, Federal User Fees: Additional Analyses and Timely Reviews Could Improve Immigration and Naturalization User Fee Design and USCIS Operations—1-23-2009
- GAO-09-70, Immigration Application Fees: Costing Methodology Improvements Would Provide More Reliable Basis for Setting Fees—1-23-2009
- GAO-09-268, Electronic Health Records: DOD's and VA's Sharing of Information Could Benefit from Improved Management—1-28-2009
- GAO-09-244R, Secure Border Initiative Fence Construction Costs—1-29-2009
- GAO-09-156R, Meal Counting and Claiming by Food Service Management Companies in the School Meal Programs—1-30-2009
- GAO-09-296, Troubled Asset Relief Program: Status of Efforts to Address Transparency and Accountability Issues—1-30-2009
- GAO-09-123R, Aviation Security: Status of Transportation Security Inspector Workforce—2-6-2009
- GAO-09-223, Federal Land Management: Observations on a Possible Move of the Forest Service into the Department of the Interior- 2-11-2009
- GAO-09-362T, Defense Management: Actions Needed to Overcome Long-standing Challenges with Weapon Systems Acquisition and Service Contract Management—2-11-2009
- GAO-09-308R, DHS: Organizational Structure and Resources for Providing Health Care to Immigration Detainees—2-23-2009
- GAO-09-282, Commuter Rail: Many Factors Influence Liability and Indemnity Provisions, and Options Exist to Facilitate Negotiations—2-24-2009
- GAO-09-412T, Federal Land Management: Potential Effects and Factors to Consider in a Move of the Forest Service into the Department of the Interior—2-24-2009
- GAO-09-295R, Defense Acquisitions: Perspectives on Potential Changes to Department of Defense Acquisition Management Framework—2-27-2009
- $GAO-09-306SP, NASA: Assessments \ of \ Selected \ Large-Scale \ Projects-3-2-2009$
- GAO-09-401T, Department of Homeland Security: Organizational Structure, Spending, and Staffing for the Health Care Provided to Immigration Detainees—3-3-2009
- GAO-09-425T, Department of the Interior: Major Management Challenges-3-3-2009
- GAO-09-434, Environmental Protection Agency: Major Management Challenges—3-4-2009
- GAO-09-406T, Department of Energy: Contract and Project Management Concerns at the National Nuclear Security Administration and Office of Environmental Management—3-4-2009
- GAO-09-435T, Transportation Programs: Challenges Facing the Department of Transportation and Congress—3-10-2009
- GAO-09-281, Business Systems Modernization: Internal Revenue Service's Fiscal Year 2009 Expenditure Plan—3-11-2009
- GAO-09-443T, Forest Service: Emerging Issues Highlight the Need to Address Persistent Management Challenges—3-11-2009
- GAO-09-339R, Counterdrug Technology Assessment Center: Clarifying Rationale for the Research and Development Funding Decisions Would Increase Accountability—3-12-2009
- GAO-09-288, Defense Acquisitions: Decisions Needed to Shape Army's Combat Systems for the Future—3-12-2009
- GAO-09-303, Joint Strike Fighter: Accelerating Procurement before Completing Development Increases the Government's Financial Risk—3-12-2009
- GAO-09-427T, Information Technology: Challenges Remain for VA's Sharing of Electronic Health Records with DOD—3-12-2009
- GAO-09-459T, VA Health Care: Challenges in Budget Formulation and Execution-3-12-2009

- GAO-09-338, Defense Acquisitions: Production and Fielding of Missile Defense Components Continue with Less Testing and Validation Than Planned—3-13-2009
- GAO-09-317, High Speed Passenger Rail: Future Development Will Depend on Addressing Financial and Other Challenges and Establishing a Clear Federal Role—3-19-2009
- GAO-09-260, Freedom of Information Act: DHS Has Taken Steps to Enhance Its Program, but Opportunities Exist to Improve Efficiency and Cost-Effectiveness—3-20-2009
- GAO-09-154, Urban Partnership Agreements: Congestion Relief Initiative Holds Promise; Some Improvements Needed in Selection Process—3-25-2009
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#### APPENDIX A

# COMMITTEE ON APPROPRIATIONS

#### COMMITTEE RULES

(Adopted for the 111th Congress on January 21, 2009)

RESOLVED, That the rules and practices of the Committee on Appropriations, House of Representatives, in the One Hundred Eleventh Congress, except as otherwise provided hereinafter, shall be and are hereby adopted as the rules and practices of the Committee on Appropriations in the One Hundred Eleventh Congress.

### The foregoing resolution adopts the following rules:

#### Sec. 1: Power to Sit and Act

(a) For the purpose of carrying out any of its functions and duties under Rules X and XI of the Rules of the House of Representatives, the Committee and each of its subcommittees is authorized:

(1) To sit and act at such times and places within the United States whether the House is in session, has recessed, or has adjourned, and to hold such hearings as it deems necessary; and

(2) To require, by subpoena or otherwise, the attendance and testimony of such witnesses and the production of such books, reports, correspondence, memorandums, papers, and documents as it deems necessary.

(b) The Chairman, or any Member designated by the Chairman,

may administer oaths to any witness.

(c) A subpoena may be authorized and issued by the Committee or its subcommittees under subsection (a)(2) in the conduct of any investigation or activity or series of investigations or activities, only when authorized by a majority of the Members of the Committee voting, a majority being present. The power to authorize and issue subpoenas under subsection (a)(2) may be delegated to the Chairman pursuant to such rules and under such limitations as the Committee may prescribe. Authorized subpoenas shall be signed by the Chairman or by any Member designated by the Committee.

(d) Compliance with any subpoena issued by the Committee or its subcommittees may be enforced only as authorized or directed

by the House.

# Sec. 2: Subcommittees

- (a) The Majority Caucus of the Committee shall establish the number of subcommittees and shall determine the jurisdiction of each subcommittee.
- (b) Each subcommittee is authorized to meet, hold hearings, receive evidence, and report to the Committee all matters referred to it.
- (c) All legislation and other matters referred to the Committee shall be referred to the subcommittee of appropriate jurisdiction within two weeks unless, by majority vote of the Majority Members of the full Committee, consideration is to be by the full Committee.
- (d) The Majority Caucus of the Committee shall determine an appropriate ratio of Majority to Minority Members for each sub-

committee. The Chairman is authorized to negotiate that ratio with the Minority; Provided, however, That party representation in each subcommittee, including ex-officio members, shall be no less favorable to the Majority than the ratio for the full Committee.

(e) The Chairman and Ranking Minority Member of the full Committee are each authorized to sit as a member of all subcommittees and to participate, including voting, in all of the work

of the subcommittees.

# Sec. 3: Staffing

(a) Committee Staff—The Chairman is authorized to appoint the staff of the Committee, and make adjustments in the job titles and compensation thereof subject to the maximum rates and conditions established in Clause 9(c) of Rule X of the Rules of the House of Representatives. In addition, he is authorized, in his discretion, to arrange for their specialized training. The Chairman is also authorized to employ additional personnel as necessary.

#### (b) Assistants to Members:

(1) Each of the top twenty-one senior majority and minority Members of the full Committee may select and designate one staff member who shall serve at the pleasure of that Member. Effective as of such date as the Chairman may determine, all other Members of the Committee may also each select and designate one such staff member.

(2) Effective as of such date as the Chairman may determine, the Chairman and Ranking Minority Member of the full committee and of each subcommittee may each select and designate one staff member, in addition to the staff member des-

ignated under the preceding paragraph, who shall serve at the pleasure of the Member making the designation.

(3) Staff members designated under this subsection shall be compensated at a rate, determined by the Member, not to exceed 75 per centum of the maximum established in Clause 9 (c) of Rule X of the Rules of the House of Representatives. Effective as of such date as the Chairman may determine, the limit on compensation under this subsection shall be increased to 80 per centum of such maximum.

(4) Members designating staff members under this subsection must specifically certify by letter to the Chairman that the employees are needed and will be utilized for Committee

work.

#### Sec. 4: Committee Meetings

(a) Regular Meeting Day-The regular meeting day of the Committee shall be the first Wednesday of each month while the House is in session, unless the Committee has met within the past 30 days or the Chairman considers a specific meeting unnecessary in the light of the requirements of the Committee business schedule.

(b) Additional and Special Meetings:

(1) The Chairman may call and convene, as he considers necessary, additional meetings of the Committee for the consideration of any bill or resolution pending before the Committee or for the conduct of other Committee business. The Committee shall meet for such purpose pursuant to that call of the Chairman.

(2) If at least three Committee Members desire that a special meeting of the Committee be called by the Chairman, those Members may file in the Committee Offices a written request to the Chairman for that special meeting. Such request shall specify the measure or matter to be considered. Upon the filing of the request, the Committee Clerk shall notify the Chairman.

(3) If within three calendar days after the filing of the request, the Chairman does not call the requested special meeting to be held within seven calendar days after the filing of the request, a majority of the Committee Members may file in the Committee Offices their written notice that a special meeting will be held, specifying the date and hour of such meeting, and the measure or matter to be considered. The Committee shall meet on that date and hour.

(4) Immediately upon the filing of the notice, the Committee Clerk shall notify all Committee Members that such special meeting will be held and inform them of its date and hour and the measure or matter to be considered. Only the measure or matter specified in that notice may be considered at the special

meeting

(c) Vice Chairman To Preside in Absence of Chairman—A member of the majority party on the Committee or subcommittee thereof designated by the Chairman of the full Committee shall be vice chairman of the Committee or subcommittee, as the case may be, and shall preside at any meeting during the temporary absence of the chairman. If the chairman and vice chairman of the Committee or subcommittee are not present at any meeting of the Committee or subcommittee, the ranking member of the majority party who is present shall preside at that meeting.

(d) Business Meetings:

(1) Each meeting for the transaction of business, including the markup of legislation, of the Committee and its subcommittees shall be open to the public except when the Committee or the subcommittee concerned, in open session and with a majority present, determines by roll call vote that all or part of the remainder of the meeting on that day shall be closed.

(2) No person other than Committee Members and such congressional staff and departmental representatives as they may authorize shall be present at any business or markup session

which has been closed.

### (e) Committee Records:

(1) The Committee shall keep a complete record of all Committee action, including a record of the votes on any question on which a roll call is demanded. The result of each roll call vote shall be available for inspection by the public during regular business hours in the Committee Offices. The information made available for public inspection shall include a description of the amendment, motion, or other proposition, and the name of each Member voting for and each Member voting against, and the names of those Members present but not voting.

(2) All hearings, records, data, charts, and files of the Committee shall be kept separate and distinct from the congres-

sional office records of the Chairman of the Committee. Such records shall be the property of the House, and all Members of the House shall have access thereto.

- (3) The records of the Committee at the National Archives and Records Administration shall be made available in accordance with Rule VII of the Rules of the House, except that the Committee authorizes use of any record to which Clause 3 (b)(4) of Rule VII of the Rules of the House would otherwise apply after such record has been in existence for 20 years. The Chairman shall notify the Ranking Minority Member of any decision, pursuant to Clause 3 (b)(3) or Clause 4 (b) of Rule VII of the Rules of the House, to withhold a record otherwise available, and the matter shall be presented to the Committee for a determination upon the written request of any Member of the Committee.
- (f) Availability of Record Votes on the Committee's Website.— In addition to any other requirement of these rules or the Rules of the House, the Chairman shall make the record of the votes on any question on which a record vote is demanded available on the Committee's website not later than 3 legislative days after such vote is taken. Such record shall include a description of the amendment, motion, order, or other proposition, the name of each member voting for and each member voting against such amendment, motion, order, or proposition, and the names of those members of the committee present but not voting.

### Sec. 5: Committee and Subcommittee Hearings

(a) **Overall Budget Hearings**—Overall budget hearings by the Committee, including the hearing required by Section 242 (c) of the Legislative Reorganization Act of 1970 and Clause 4 (a)(1) of Rule X of the Rules of the House of Representatives shall be conducted in open session except when the Committee in open session and with a majority present, determines by roll call vote that the testimony to be taken at that hearing on that day may be related to a matter of national security; except that the Committee may by the same procedure close one subsequent day of hearing. A transcript of all such hearings shall be printed and a copy furnished to each Member, Delegate, and the Resident Commissioner from Puerto Rico.

# (b) Other Hearings:

(1) All other hearings conducted by the Committee or its subcommittees shall be open to the public except when the Committee or subcommittee in open session and with a majority
present determines by roll call vote that all or part of the remainder of that hearing on that day shall be closed to the public because disclosure of testimony, evidence, or other matters
to be considered would endanger the national security or would
violate any law or Rule of the House of Representatives. Notwithstanding the requirements of the preceding sentence, a
majority of those present at a hearing conducted by the Committee or any of its subcommittees, there being in attendance
the number required under Section 5 (c) of these Rules to be
present for the purpose of taking testimony, (1) may vote to
close the hearing for the sole purpose of discussing whether

testimony or evidence to be received would endanger the national security or violate Clause 2 (k)(5) of Rule XI of the Rules of the House of Representatives or (2) may vote to close the hearing, as provided in Clause 2 (k)(5) of such Rule. No Member of the House of Representatives may be excluded from nonparticipatory attendance at any hearing of the Committee or its subcommittees unless the House of Representatives shall by majority vote authorize the Committee or any of its subcommittees, for purposes of a particular series of hearings on a particular article of legislation or on a particular subject of investigation, to close its hearings to Members by the same procedures designated in this subsection for closing hearings to the public; Provided, however, That the Committee or its subcommittees may by the same procedure vote to close five subsequent days of hearings.

(2) Subcommittee chairmen shall coordinate the development of schedules for meetings or hearings after consultation with the Chairman and other subcommittee chairmen with a view toward avoiding simultaneous scheduling of Committee and

subcommittee meetings or hearings.

(3) Each witness who is to appear before the Committee or any of its subcommittees as the case may be, insofar as is practicable, shall file in advance of such appearance, a written statement of the proposed testimony and shall limit the oral presentation at such appearance to a brief summary, except that this provision shall not apply to any witness appearing be-

fore the Committee in the overall budget hearings.

(4) Each witness appearing in a nongovernmental capacity before the Committee, or any of its subcommittees as the case may be, shall to the greatest extent practicable, submit a written statement including a curriculum vitae and a disclosure of the amount and source (by agency and program) of any Federal grant (or subgrant thereof) or contract (or subcontract thereof) received during the current fiscal year or either of the two previous fiscal years by the witness or by an entity represented by the witness.

(c) Quorum for Taking Testimony—The number of Members of the Committee which shall constitute a quorum for taking testimony and receiving evidence in any hearing of the Committee shall be two.

(d) Calling and Interrogation of Witnesses:

(1) The Minority Members of the Committee or its subcommittees shall be entitled, upon request to the Chairman or subcommittee chairman, by a majority of them before completion of any hearing, to call witnesses selected by the Minority to testify with respect to the matter under consideration during at least one day of hearings thereon.

(2) The Committee and its subcommittees shall observe the five-minute rule during the interrogation of witnesses until such time as each Member of the Committee or subcommittee who so desires has had an opportunity to question the witness.

(e) Broadcasting and Photographing of Committee Meetings and Hearings—Whenever a hearing or meeting conducted by the full Committee or any of its subcommittees is open to the public, those proceedings shall be open to coverage by television, radio, and still photography, as provided in Clause (4)(f) of Rule XI of the Rules of the House of Representatives. Neither the full Committee Chairman or subcommittee chairman shall limit the number of television or still cameras to fewer than two representatives from each medium.

(f) **Subcommittee Meetings**—No subcommittee shall sit while the House is reading an appropriation measure for amendment under the five-minute rule or while the Committee is in session.

(g) **Public Notice of Committee Hearings**—The Chairman of the Committee shall make public announcement of the date, place, and subject matter of any Committee or subcommittee hearing at least one week before the commencement of the hearing. If the Chairman of the Committee or subcommittee, with the concurrence of the ranking minority member of the Committee or respective subcommittee, determines there is good cause to begin the hearing sooner, or if the Committee or subcommittee so determines by majority vote, a quorum being present for the transaction of business, the Chairman or subcommittee chairman shall make the announcement at the earliest possible date. Any announcement made under this subsection shall be promptly published in the Daily Digest and promptly entered into the Committee scheduling service of the House Information Systems.

# Sec. 6: Procedures for Reporting Bills and Resolutions

# (a) Prompt Reporting Requirement:

(1) It shall be the duty of the Chairman to report, or cause to be reported promptly to the House any bill or resolution approved by the Committee and to take or cause to be taken nec-

essary steps to bring the matter to a vote.

(2) In any event, a report on a bill or resolution which the Committee has approved shall be filed within seven calendar days (exclusive of days in which the House is not in session) after the day on which there has been filed with the Committee Clerk a written request, signed by a majority of Committee Members, for the reporting of such bill or resolution. Upon the filing of any such request, the Committee Clerk shall notify the Chairman immediately of the filing of the request. This subsection does not apply to the reporting of a regular appropriation bill or to the reporting of a resolution of inquiry addressed to the head of an executive department.

(b) **Presence of Committee Majority**—No measure or recommendation shall be reported from the Committee unless a ma-

jority of the Committee was actually present.

(c) **Roll Call Votes**—With respect to each roll call vote on a motion to report any measure or matter of a public character, and on any amendment offered to the measure of matter, the total number of votes cast for and against, and the names of those Members voting for and against, shall be included in the Committee report on the measure or matter.

(d) Compliance With Congressional Budget Act—A Committee report on a bill or resolution which has been approved by the Committee shall include the statement required by Section 308(a) of the Congressional Budget Act of 1974, separately set out

and clearly identified, if the bill or resolution provides new budget authority.

(e) **Constitutional Authority Statement**—Each report of the Committee on a bill or joint resolution of a public character shall include a statement citing the specific powers granted to the Congress in the Constitution to enact the law proposed by the bill or joint resolution.

(f) **Changes in Existing Law**—Each Committee report on a general appropriation bill shall contain a concise statement describing fully the effect of any provision of the bill which directly or in-

directly changes the application of existing law.

(g) **Rescissions and Transfers**—Each bill or resolution reported by the Committee shall include separate headings for rescissions and transfers of unexpended balances with all proposed rescissions and transfers listed therein. The report of the Committee accompanying such a bill or resolution shall include a separate section with respect to such rescissions or transfers.

(h) Listing of Unauthorized Appropriations—Each Committee report on a general appropriation bill shall contain a list of all appropriations contained in the bill for any expenditure not currently authorized by law for the period concerned (except for classified intelligence or national security programs, projects, or activities) along with a statement of the last year for which such expenditures were authorized, the level of expenditures authorized for that year, the actual level of expenditures for that year, and the

level of appropriations in the bill for such expenditures.

(i) Supplemental or Minority Views:

- (1) If, at the time the Committee approves any measure or matter, any Committee Member gives notice of intention to file supplemental, minority, or additional views, the Member shall be entitled to not less than two additional calendar days after the day of such notice (excluding Saturdays, Sundays, and legal holidays) in which to file such views in writing and signed by the Member, with the Clerk of the Committee. All such views so filed shall be included in and shall be a part of the report filed by the Committee with respect to that measure or matter.
- (2) The Committee report on that measure or matter shall be printed in a single volume which—
  - (i) shall include all supplemental, minority, or additional views which have been submitted by the time of the filing of the report, and
  - (ii) shall have on its cover a recital that any such supplemental, minority, or additional views are included as part of the report.

(3) This subsection does not preclude—

(i) the immediate filing or printing of a Committee report unless timely request for the opportunity to file supplemental, minority, or additional views has been made as provided by such subsection; or

(ii) the filing by the Committee of a supplemental report on a measure or matter which may be required for correction of any technical error in a previous report made by

the Committee on that measure or matter.

- (4) If, at the time a subcommittee approves any measure or matter for recommendation to the full Committee, any Member of that subcommittee who gives notice of intention to offer supplemental, minority, or additional views shall be entitled, insofar as is practicable and in accordance with the printing requirements as determined by the subcommittee, to include such views in the Committee Print with respect to that measure or matter.
- (j) Availability of Reports—A copy of each bill, resolution, or report shall be made available to each Member of the Committee at least three calendar days (excluding Saturdays, Sundays, and legal holidays) in advance of the date on which the Committee is to consider each bill, resolution, or report; Provided, That this subsection may be waived by agreement between the Chairman and the Ranking Minority Member of the full Committee.

(k) Performance Goals and Objectives—Each Committee report shall contain a statement of general performance goals and objectives, including outcome-related goals and objectives, for which

the measure authorizes funding.
(1) **Motion to go to Conference**—The Chairman is directed to offer a motion under clause 1 of rule XXII of the Rules of the House whenever the Chairman considers it appropriate.

## Sec. 7: Voting

(a) No vote by any Member of the Committee or any of its subcommittees with respect to any measure or matter may be cast by proxy.

(b) The vote on any question before the Committee shall be taken by the yeas and nays on the demand of one-fifth of the Members

(c) The Chairman of the Committee or the chairman of any of its subcommittees may-

(1) postpone further proceedings when a record vote is ordered on the question of approving a measure or matter or on adopting an amendment;

(2) resume proceedings on a postponed question at any time

after reasonable notice.

When proceedings resume on a postponed question, notwithstanding any intervening order for the previous question, an underlying proposition shall remain subject to further debate or amendment to the same extent as when the question was postponed.

### Sec. 8: Studies and Examinations

The following procedure shall be applicable with respect to the conduct of studies and examinations of the organization and operation of Executive Agencies under authority contained in Section 202 (b) of the Legislative Reorganization Act of 1946 and in Clause (3)(a) of Rule X of the Rules of the House of Representatives:

(a) The Chairman is authorized to appoint such staff and, in his discretion, arrange for the procurement of temporary services of consultants, as from time to time may be required.

(b) Studies and examinations will be initiated upon the written request of a subcommittee which shall be reasonably specific and definite in character, and shall be initiated only by a majority vote of the subcommittee, with the chairman of the subcommittee and the ranking minority member thereof participating as part of such majority vote. When so initiated such request shall be filed with the Clerk of the Committee for submission to the Chairman and the Ranking Minority Member and their approval shall be required to make the same effective. Notwithstanding any action taken on such request by the chairman and ranking minority member of the subcommittee, a request may be approved by a majority of the Committee.

- (c) Any request approved as provided under subsection (b) shall be immediately turned over to the staff appointed for action
- (d) Any information obtained by such staff shall be reported to the chairman of the subcommittee requesting such study and examination and to the Chairman and Ranking Minority Member, shall be made available to the members of the subcommittee concerned, and shall not be released for publication until the subcommittee so determines.
- (e) Any hearings or investigations which may be desired, aside from the regular hearings on appropriation items, when approved by the Committee, shall be conducted by the subcommittee having jurisdiction over the matter.

### Sec. 9: Official Travel

(a) The chairman of a subcommittee shall approve requests for travel by subcommittee members and staff for official business within the jurisdiction of that subcommittee. The ranking minority member of a subcommittee shall concur in such travel requests by minority members of that subcommittee and the Ranking Minority Member shall concur in such travel requests for Minority Members of the Committee. Requests in writing covering the purpose, itinerary, and dates of proposed travel shall be submitted for final approval to the Chairman. Specific approval shall be required for each and every trip.

(b) The Chairman is authorized during the recess of the Congress to approve travel authorizations for Committee Members and staff,

including travel outside the United States.

(c) As soon as practicable, the Chairman shall direct the head of each Government agency concerned not to honor requests of subcommittees, individual Members, or staff for travel, the direct or indirect expenses of which are to be defrayed from an executive ap-

propriation, except upon request from the Chairman.

(d) In accordance with Clause 8 of Rule X of the Rules of the House of Representatives and Section 502 (b) of the Mutual Security Act of 1954, as amended, local currencies owned by the United States shall be available to Committee Members and staff engaged in carrying out their official duties outside the United States, its territories, or possessions. No Committee Member or staff member shall receive or expend local currencies for subsistence in any country at a rate in excess of the maximum per diem rate set forth in applicable Federal law.

(e) Travel Reports:

(1) Members or staff shall make a report to the Chairman on their travel, covering the purpose, results, itinerary, expenses,

and other pertinent comments.

(2) With respect to travel outside the United States or its territories or possessions, the report shall include: (1) an itemized list showing the dates each country was visited, the amount of per diem furnished, the cost of transportation furnished, and any funds expended for any other official purpose; and (2) a summary in these categories of the total foreign currencies and/or appropriated funds expended. All such individual reports on foreign travel shall be filed with the Chairman no later than sixty days following completion of the travel for use in complying with reporting requirements in applicable Federal law, and shall be open for public inspection.

(3) Each Member or employee performing such travel shall be solely responsible for supporting the amounts reported by

the Member or employee.

(4) No report or statement as to any trip shall be publicized making any recommendations in behalf of the Committee with-

out the authorization of a majority of the Committee.
(f) Members and staff of the Committee performing authorized travel on official business pertaining to the jurisdiction of the Committee shall be governed by applicable laws or regulations of the House and of the Committee on House Administration pertaining to such travel, and as promulgated from time to time by the Chairman.

### APPENDIX B

PROVISIONS OF THE RULES OF THE HOUSE OF REPRESENTATIVES APPLICABLE TO THE JURISDICTION OF THE HOUSE COMMITTEE ON APPROPRIATIONS

#### Rule X

#### ORGANIZATION OF COMMITTEES

### **Committees and Their Legislative Jurisdictions**

1. There shall be in the House the following standing committees, each of which shall have the jurisdiction and related functions assigned by this clause and clauses 2, 3, and 4. All bills, resolutions, and other matters relating to subjects within the jurisdiction of the standing committees listed in this clause shall be referred to those committees, in accordance with clause 2 of rule XII, as follows:

\* \* \* \* \* \* \*

# (b) Committee on Appropriations

- (1) Appropriation of the revenue for the support of the Government.
- (2) Rescissions of appropriations contained in appropriation Acts.

(3) Transfers of unexpended balances.

(4) Bills and joint resolutions reported by other committees that provide new entitlement authority as defined in section 3(9) of the Congressional Budget Act of 1974 and referred to the committee under clause 4(a)(2).

\* \* \* \* \* \* \*

# General Oversight Responsibilities

2. (a) The various standing committees shall have general oversight responsibilities as provided in paragraph (b) in order to assist the House in—

(1) its analysis, appraisal, and evaluation of—

(A) the application, administration, execution, and effectiveness of Federal laws; and

(B) conditions and circumstances which may indicate the necessity or desirability of enacting new or additional legislation; and

(2) its formulation, consideration, and enactment of changes in Federal laws, and of such additional legislation as

may be necessary or appropriate.

(b)(1) In order to determine whether laws and programs addressing subjects within the jurisdiction of a committee are being implemented and carried out in accordance with the intent of Congress and whether they should be continued, curtailed, or eliminated, each standing committee (other than the Committee on Appropriations) shall review and study on a continuing basis—

\* \* \* \* \* \* \*

## **Special Oversight Functions**

3. (a) The Committee on Appropriations shall conduct such studies and examinations of the organization and operation of executive departments and other executive agencies (including an agency the majority of the stock of which is owned by the United States) as it considers necessary to assist it in the determination of matters within its jurisdiction.

\* \* \* \* \* \* \*

#### **Additional Functions of Committees**

4. (a)(1)(A) The Committee on Appropriations shall, within 30 days after the transmittal of the Budget to the Congress each year, hold hearings on the Budget as a whole with particular reference to—

(i) the basic recommendations and budgetary policies of

the President in the presentation of the Budget; and

(ii) the fiscal, financial, and economic assumptions used as bases in arriving at total estimated expenditures and receipts.

(B) In holding hearings pursuant to subdivision (A), the committee shall receive testimony from the Secretary of the Treasury, the Director of the Office of Management and Budget, the Chairman of the Council of Economic Advisers, and such other persons

as the committee may desire.

(C) A hearing under subdivision (A), or any part thereof, shall be held in open session, except when the committee, in open session and with a quorum present, determines by record vote that the testimony to be taken at that hearing on that day may be related to a matter of national security. The committee may by the same procedure close one subsequent day of hearing. A transcript of all such hearings shall be printed and a copy thereof furnished to each Member, Delegate, and the Resident Commissioner.

(D) A hearing under subdivision (A), or any part thereof, may be held before a joint meeting of the committee and the Committee on Appropriations of the Senate in accordance with such procedures as

the two committees jointly may determine.

(2) Pursuant to section 401(b)(2) of the Congressional Budget Act of 1974, when a committee reports a bill or joint resolution that provides new entitlement authority as defined in section 3(9) of that Act, and enactment of the bill or joint resolution, as reported, would cause a breach of the committee's pertinent allocation of new budget authority under section 302(a) of that Act, the bill or joint resolution may be referred to the Committee on Appropriations with instructions to report it with recommendations (which may include an amendment limiting the total amount of new entitlement authority provided in the bill or joint resolution). If the Committee on Appropriations fails to report a bill or joint resolution so referred within 15 calendar days (not counting any day on which the house is not in session), the committee automatically shall be discharged from consideration of the bill or joint resolution, and the bill or joint resolution shall be placed on the appropriate calendar.

(3) In addition, the Committee on Appropriations shall study on a continuing basis those provisions of law that (on the first day of the first fiscal year for which the congressional budget process is effective) provide spending authority of permanent budget authority, and shall report to the House from time to time its rec-

ommendations for terminating or modifying such provisions.

(4) In the manner provided by section 302 of the Congressional Budget Act of 1974, the Committee on Appropriations (after consulting with the Committee on Appropriations of the Senate) shall subdivide any allocations made to it in the joint explanatory statement accompanying the conference report on such concurrent resolution, and promptly report the subdivisions to the House as soon as practicable after a concurrent resolution on the budget for a fis-

cal year is agreed to.

(5)(A) There is established a Select Intelligence Oversight Panel of the Committee on Appropriations (hereinafter in this paragraph referred to as the "select panel"). The select panel shall be composed of not more than 13 Members, Delegates, or the resident Commissioner appointed by the Speaker, of whom not more than eight may be from the same political party. The select panel shall include the chairman and ranking minority member of the Committee on Appropriations, the chairman and ranking minority member of of its Subcommittee on Defense, six additional members of the Committee on Appropriations, and three members of the Permanent Select Committee on Intelligence.

(B) The Speaker shall designate one member of the select panel as its chairman and one member as its ranking minority member.

(C) Each member on the select panel shall be treated as though a member of the Committee on Appropriations for purposes of the

- select panel.
  (D) The select panel shall review and study on a continuing basis budget requests for and execution of intelligence activities; make recommendations to relevant subcommittees of the Committee on Appropriations; and, on an annual basis, prepare a report to the Defense Subcommittee of the Committee on Appropriations containing budgetary and oversight observations and recommendations for use by such subcommittee in preparation of the classified annex to the bill making appropriations for Department of Defense.
- (E) Rule XI shall apply to the select panel in the same manner as a subcommittee (except for clause 2(m)(1)(B) of that rule).
- (F) A subpoena of the Committee on Appropriations or its Subcommittee on Defense may specify terms of return to the select panel.

# APPENDIX C

# SUBCOMMITTEE MEMBERSHIP AND JURISDICTION

NOTE: Under Committee Rules, Mr. Obey, as Chairman of the Full Committee, and Mr. Lewis of California, as Ranking Minority Member of the Full Committee, are authorized to sit as Members of all Subcommittees.

SUBCOMMITTEE ON AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCIES

ROSA L. DELAURO, Connecticut, Chairwoman

SAM FARR, California
ALLEN BOYD, Florida
SANFORD D. BISHOP, Jr., Georgia
LINCOLN DAVIS, Tennessee
MARCY KAPTUR, Ohio
CHET EDWARDS, Texas
MAURICE D. HINCHEY, New York

JACK KINGSTON, Georgia TOM LATHAM, Iowa JO ANN EMERSON, Missouri RODNEY ALEXANDER, Louisiana

## JURISDICTION

DEPARTMENT OF AGRICULTURE (Except Forest Service) Farm Credit Administration Farm Credit System Financial Assistance Corporation Commodity Futures Trading Commission Food and Drug Administration (HHS)

# SUBCOMMITTEE ON COMMERCE, JUSTICE, SCIENCE, AND RELATED AGENCIES

#### ALAN B. MOLLOHAN, West Virginia, Chairman

ALAN B. MOLLOHAN,
PATRICK J. KENNEDY, Rhode Island
CHAKA FATTAH, Pennsylvania
ADAM SCHIFF, California
MICHAEL HONDA, California
C.A. "DUTCH" RUPPERSBERGER, Maryland
JOSÉ E. SERRANO, New York
DATRICK I. MURPHY, Pensentyania

FRANK R. WOLF, Virginia JOHN ABNEY CULBERSON, Texas ROBERT B. ADERHOLT, Alabama JO BONNER, Alabama PATRICK J. MURPHY, Pennsylvania

# JURISDICTION

DEPARTMENT OF COMMERCE DEPARTMENT OF JUSTICE NATIONAL AERONAUTICS AND SPACE ADMINISTRATION NATIONAL SCIENCE FOUNDATION RELATED AGENCIES Antitrust Modernization Commission
Commission on Civil Rights
Equal Employment Opportunity Commission
International Trade Commission
Legal Services Corporation
Marine Mammal Commission
National Intellectual Property Law Enforcement Coordination Council
Office of Science and Technology Policy
Office of the United States Trade Representative
State Justice Institute

## SUBCOMMITTEE ON DEFENSE

## NORMAN D. DICKS, Washington, Chairman

PETER J. VISCLOSKY, Indiana
JAMES P. MORAN, Virginia
MARCY KAPTUR, Ohio
ALLEN BOYD, Florida
STEVEN R. ROTHMAN, New Jersey
SANFORD D. BISHOP, JR., Georgia
MAURICE D. HINCHEY, New York
CAROLYN C. KILPATRICK Michigan CAROLYN C. KILPATRICK, Michigan TIM RYAN, Ohio

C. W. BILL YOUNG, Florida RODNEY P. FRELINGHUYSEN, New Jersey TODD TIAHRT, Kansas JACK KINGSTON, Georgia KAY GRANGER, Texas HAROLD ROGERS, Kentucky

## JURISDICTION

DEPARTMENT OF DEFENSE—MILITARY

Departments of Army, Navy (including Marine Corps), Air Force, Office of Secretary of Defense, and Defense Agencies (*Except* Department of Defense-related accounts and programs under the Subcommittee on Military Construction and Veterans Affairs and the Office of the Assistant Secretary of the Army (Civil Works))

Central Intelligence Agency
Intelligence Community Staff

# SUBCOMMITTEE ON ENERGY AND WATER DEVELOPMENT, AND RELATED AGENCIES $\,$

#### PETER J. VISCLOSKY, Indiana, Chairman

CHET EDWARDS, Texas ED PASTOR, Arizona MARION BERRY, Arkansas CHAKA FATTAH, Pennsylvania STEVE ISRAEL, New York JOHN W. OLVER, Massachusetts LINCOLN DAVIS, Tennessee JOHN T. SALAZAR, Colorado PATRICK J. MURPHY, Pennsylvania

DEPARTMENT OF ENERGY

RODNEY P. FRELINGHUYSEN, New Jersey ZACH WAMP, Tennessee MICHAEL K. SIMPSON, Idaho DENNIS R. REHBERG, Montana KEN CALVERT, California RODNEY ALEXANDER, Louisiana

# JURISDICTION

DEPARTMENT OF DEFENSE—Civil; Department of the Army; Corps of Engineers—Civil

DEPARTMENT OF THE INTERIOR; Bureau of Reclamation; Central Utah Project

RELATED AGENCIES

Appalachian Regional Commission

Defense Nuclear Facilities Safety Board

Delta Regional Authority

Denali Commission

Nuclear Regulatory Commission

Nuclear Waste Technical Review Board

Tennessee Valley Authority

#### SUBCOMMITTEE ON FINANCIAL SERVICES AND GENERAL GOVERNMENT

JOSÉ E. SERRANO, New York, Chairman

DEBBIE WASSERMAN SCHULTZ, Florida ROSA L. DELAURO, Connecticut CHAKA FATTAH, Pennsylvania BARBARA LEE, California ADAM SCHIFF, California STEVE ISRAEL, New York

JO ANN EMERSON, Missouri JOHN ABNEY CULBERSON, Texas MARK STEVEN KIRK, Illinois ANDER CRENSHAW, Florida

#### JURISDICTION

DEPARTMENT OF THE TREASURY

DISTRICT OF COLUMBIA

THE JUDICIARY

TIM RYAN, Ohio

EXECUTIVE OFFICE OF THE PRESIDENT

Compensation of the President Council of Economic Advisers

Executive Residence at the White House
Federal Drug Control Programs
High Intensity Drug Trafficking Areas Program
National Security Council
Office of Administration

National Security Council
Office of Administration
Office of Management and Budget
Office of National Drug Control Policy
Office of Policy Development
Official Residence of the Vice President
Special Assistance to the President

Unanticipated Needs White House Office

White House Repair and Restoration

INDEPENDENT AGENCIES

Administrative Conference of the United States Christopher Columbus Fellowship Foundation

Consumer Product Safety Commission

**Election Assistance Commission** Federal Communications Commission

Federal Deposit Insurance Corporation, Office of Inspector General

Federal Election Commission

Federal Labor Relations Authority

Federal Trade Commission

General Services Administration Harry S. Truman Scholarship Foundation

Merit Systems Protection Board Morris K. Udall Scholarship and Excellence in National Environmental

Policy Foundation

National Archives and Records Administration National Credit Union Administration National Historical Publications and Records Commission

Office of Government Ethics

Office of Personnel Management and Related Trust Funds

Office of Special Counsel

Postal Regulatory Commission
Privacy and Civil Liberties Oversight Board
Securities and Exchange Commission

Selective Service System Small Business Administration

United States Postal Service, Payment to the Postal Service Fund and Office of Inspector General United States Tax Court

GENERAL PROVISIONS, GOVERNMENTWIDE

# SUBCOMMITTEE ON THE DEPARTMENT OF HOMELAND SECURITY

DAVID E. PRICE, North Carolina Chairman

CIRO RODRIGUEZ, Texas
C.A. "DUTCH" RUPPERSBERGER, Maryland
ALAN B. MOLLOHAN, West Virginia
NITA M. LOWEY, New York
LUCILLE ROYBAL-ALLARD, California
SAM EARD. California
SAM EARD. California SAM FARR, California STEVEN R. ROTHMAN, New Jersey MARION BERRY, Arkansas

# JURISDICTION

DEPARTMENT OF HOMELAND SECURITY

## SUBCOMMITTEE ON INTERIOR, ENVIRONMENT, AND RELATED AGENCIES

JAMES P. MORAN, Virginia, Chairman

NORMAN D. DICKS, Washington ALAN B. MOLLOHAN, West Virginia BEN CHANDLER, Kentucky MAURICE D. HINCHEY, New York BETTY McCOLLUM, Minnesota JOHN W. OLVER, Massachusetts ED PASTOR, Arizona

MICHAEL K. SIMPSON, Idaho KEN CALVERT, California STEVEN C. LATOURETTE, Ohio TOM COLE, Oklahoma

#### JURISDICTION

DEPARTMENT OF THE INTERIOR (Except Bureau of Reclamation and Central Utah Project)

ENVIRONMENTAL PROTECTION AGENCY

OTHER AGENCIES

Advisory Council on Historic Preservation
Agency for Toxic Substances and Disease Registry (HHS)
Chemical Safety and Hazard Investigation Board
Commission of Fine Arts

Council on Environmental Quality and Office of Environmental Quality

Eisenhower Commission

Forest Service (USDA)
Indian Health Service
Institute of American Indian and Alaska Native Culture and Arts Devel-

opment
John F. Kennedy Center for the Performing Arts
National Capital Planning Commission
National Foundation on the Arts and the Humanities (Except Institute of Museum and Library Services)

National Gallery of Art National Institute of Environmental Health Sciences (HHS, formerly

EPA/Superfund) Office of Navajo and Hopi Indian Relocation Presidio Trust

Smithsonian Institution

United States Holocaust Memorial Museum

White House Commission on the National Moment of Remembrance Woodrow Wilson International Center for Scholars

## SUBCOMMITTEE ON THE DEPARTMENTS OF LABOR, HEALTH AND HUMAN SERVICES, EDUCATION, AND RELATED AGENCIES

#### DAVID R. OBEY, Wisconsin, Chairman

NITA M. LOWEY, New York ROSA L. DELAURO, Connecticut JESSE L. JACKSON, JR., Illinois PATRICK J. KENNEDY, Rhode Island LUCILLE ROYBAL-ALLARD, California BARBARA LEE, California MICHAEL HONDA, California BETTY McCOLLUM, Minnesota TIM RYAN, Ohio

TODD TIAHRT, Kansas DENNIS R. REHBERG, Montana RODNEY ALEXANDER, Louisiana JO BONNER, Alabama TOM COLE, Oklahoma

#### JURISDICTION

DEPARTMENT OF EDUCATION

JOSÉ E. SERRANO, New York

DEPARTMENT OF EDUCATION
DEPARTMENT OF HEALTH AND HUMAN SERVICES (Except Agency for Toxic Substances and Disease Registry; Food and Drug Administration; Indian Health Services and Facilities; and National Institute of Environmental Sciences (formerly EPA/Superfund))

DEPARTMENT OF LABOR

RELATED AGENCIES

Committee for Purchase From People Who Are Blind or Severely Disabled

abled
Corporation for National and Community Service
Corporation for Public Broadcasting
Federal Mediation and Conciliation Service
Federal Mine Safety and Health Review Commission
Institute of Museum and Library Services
Medicare Payment Advisory Commission
National Commission on Libraries and Information Science
National Council on Disability
National Education Goals Panel
National Labor Relations Board

National Labor Relations Board

National Mediation Board

Occupational Safety and Health Review Commission

Railroad Retirement Board

Social Security Administration

# SUBCOMMITTEE ON LEGISLATIVE BRANCH

DEBBIE WASSERMAN SCHULTZ, Florida, Chair

MICHAEL HONDA, California ROBERT B. ADERHOLT, Alabama C.A. "DUTCH" RUPPERSBERGER, Maryland CIRO RODRIGUEZ, Texas LINCOLN DAVIS, Tennessee PATRICK J. MURPHY, Pennsylvania

# JURISDICTION

House of Representatives
Joint Items
Architect of the Capitol (Except Senate Items)
Botanic Garden
Capitol Police
Capitol Visitors Center
Congressional Budget Office
Government Accountability Office
Government Printing Office
John C. Stennis Center
Library of Congress
Office of Compliance
Open World Leadership Center
United States Capitol Preservation Commission House of Representatives

## SUBCOMMITTEE ON MILITARY CONSTRUCTION, VETERANS AFFAIRS, AND RELATED AGENCIES APPROPRIATIONS

#### CHET EDWARDS, Texas, Chairman

SAM FARR, California JOHN T. SALAZAR, Colorado PETER J. VISCLOSKY, Indiana DAVID E. PRICE, North Carolina PATRICK J. KENNEDY, Rhode Island ALLEN BOYD, Florida

SANFORD D. BISHOP, Jr., Georgia

ZACH WAMP, Tennessee ANDER CRENSHAW, Florida C. W. BILL YOUNG, Florida JOHN CARTER, Texas

#### JURISDICTION

DEPARTMENT OF DEFENSE
Military Construction, Army, Navy (including Marine Corps), Air Force,
Defense-Wide, and Guard and Reserve Forces

Chemical Demilitarization Construction, Defense-Wide
Military Family Housing Construction and Operation and Maintenance,
Army, Navy (including Marine Corps), Air Force, and Defense-Wide
Family Housing Improvement Fund
Military Unaccompanied Housing Improvement Fund
Homeowners Assistance Fund

Base Realignment and Closure Accounts
NATO Security Investment Program
DEPARTMENT OF VETERANS AFFAIRS
RELATED AGENCIES
American Pattle Management Comments
AMerican Pattle Pattle Management Comments
AMerican Pattle Pattl

ELATED AGENCIES
American Battle Monuments Commission
Armed Forces Retirement Home
Department of Defense, Civil, Cemeterial Expenses, Army
U.S. Court of Appeals for Veterans Claims

# SUBCOMMITTEE ON STATE, FOREIGN OPERATIONS, AND RELATED PROGRAMS

#### NITA M. LOWEY, New York, Chairwoman

JESSE L. JACKSON, Jr., Illinois ADAM SCHIFF, California STEVE ISRAEL, New York BEN CHANDLER, Kentucky STEVEN R. ROTHMAN, New Jersey BARBARA LEE, California JAMES P. MORAN, Virginia

KAY GRANGER, Texas MARK STEVEN KIRK, Illinois ANDER CRENSHAW, Florida DENNIS R. REHBERG, Montana

## JURISDICTION

AGENCY FOR INTERNATIONAL DEVELOPMENT

AGENCY FOR INTERNATIONAL DEVELOPMENT
DEPARTMENT OF DEFENSE
Foreign Military Financing Program
International Military Education and Training
DEPARTMENT OF STATE

DEPARTMENT OF THE TREASURY

DEPARTMENT OF THE TREASURY
Debt Restructuring
International Affairs Technical Assistance
International Monetary Fund
Multilateral Development Banks
EXPORT-IMPORT BANK
MILLENNIUM CHALLENGE CORPORATION
OVERSEAS PRIVATE INVESTMENT CORPORATION
PEACE CORPS
TRADE AND DEVELOPMENT AGENCY
RELATED PROGRAMS
African Development Foundation

African Development Foundation
Broadcasting Board of Governors
Commission for the Preservation of America's Heritage Abroad

Commission on International Religious Freedom

Commission on Security and Cooperation in Europe Congressional-Executive Commission on the People's Republic of China HELP Commission

Inter-American Foundation

United States-China Economic and Security Review Commission United States Institute of Peace

# SUBCOMMITTEE ON THE DEPARTMENTS OF TRANSPORTATION, AND HOUSING AND URBAN DEVELOPMENT, AND RELATED AGENCIES

JOHN W. OLVER, Massachusetts, Chairman

ED PASTOR, Arizona
CIRO RODRIGUEZ, Texas
MARCY KAPTUR, Ohio
DAVID E. PRICE, North Carolina
LUCILLE ROYBAL-ALLARD, California
MARION BERRY, Arkansas
CAROLYN C. KILPATRICK, Michigan

TOM LATHAM, Iowa FRANK R. WOLF, Virginia JOHN R. CARTER, Texas STEVEN C. LATOURETTE, Ohio

## JURISDICTION

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
DEPARTMENT OF TRANSPORTATION
RELATED AGENCIES
Architectural and Transportation Barriers Compliance Board
Federal Maritime Commission
National Transportation Safety Board
Neighborhood Reinvestment Corporation
United States Interagency Council on Homelessness
Washington Metropolitan Area Transit Authority